

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>5/22/06</u>		2 Serial/Patent # <u>08/940,020</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
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<input type="checkbox"/> Overpayment <input type="checkbox"/> Duplicate Payment <input checked="" type="checkbox"/> No Fee Due (Explanation):		Credit Deposit A/C #: 9 <table border="1" style="display: inline-table; text-align: center; width: 150px;"> <tr> <td style="width: 20px;">0</td> <td style="width: 20px;">6</td> <td style="width: 20px;">--</td> <td style="width: 20px;">0</td> <td style="width: 20px;">9</td> <td style="width: 20px;">1</td> <td style="width: 20px;">6</td> </tr> </table>			0	6	--	0	9	1	6
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11 REFUND REQUESTED BY: <u>Mark Polath</u>											
TYPED/PRINTED NAME: <u>Mark Polath</u>			TITLE: <u>Legal Advisor</u>								
SIGNATURE: <u>[Signature]</u>			PHONE: <u>2-7709</u>								
OFFICE: <u>OPLA</u>											
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APPROVED: <u>[Signature]</u>			DATE: <u>5/23/06</u>								

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PATENT
Attorney Docket No. 4173.0348

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
HIDEAKI FUKUZAWA ET AL.) Group Art Unit: 2652
)
Application No.: 08/940,020) Examiner: D. Davis
)
Filed: September 29, 1997) Confirmation No.: 4500
)
For: MAGNETORESISTANCE EFFECT)
DEVICE HAVING HARD)
MAGNETIC FILM STRUCTURAL)
BODY)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

APPLICATION FOR PATENT TERM EXTENSION UNDER 37 C.F.R. § 1.705(b)

Applicants hereby submit this Application for Patent Term Extension in order for the Patent Office to reconsider the patent term extension ("PTE") for the above-identified application.

In the Determination of Patent Term Extension issued by the Patent Office, it was determined that the PTE is 1047 days. However, Applicants believe they are entitled to a PTE of at least 931 days.

Applicants note that Rule 701(d)(1) states that the extension period for delay resulting from appellate review shall be reduced by "[a]ny time during the period of appellate review that occurred before three years from the filing of the first national application." The present application was filed on September 29, 1997, and a Notice of

Adjustment date: 05/23/2006 CKHLOK
05/05/2006 MBEYENE2 00000032 08940020
03 FC:1455 -200.00 OP

83 FC:1455

200.00 OP

Repln. Ref: 05/23/2006 CKHLOK 0009590500
DAH:060916 Name/Number:08940020
FC: 9204 \$200.00 CR

Appeal was filed on June 6, 2000. Therefore, a reduction in patent term extension for the time period from June 6, 2000 to September 29, 2000, is required.

A check in the amount of \$200.00 is enclosed with this Application. If any additional required fees are necessary, please charge to deposit account 06-0916.

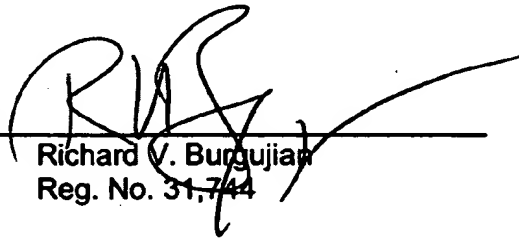
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: _____

5/4/06

By: _____


Richard V. Burgujian
Reg. No. 31,744